



General Assembly

**Substitute Bill No. 378**

*January Session, 2003*

**AN ACT CONCERNING EMPLOYEE ACCESS TO ELECTRONICALLY  
RECORDED PERSONNEL FILES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (3) of section 31-128a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2003*):

4 (3) "Personnel file" means papers, documents and reports, including  
5 electronic mail and facsimiles, pertaining to a particular employee  
6 [which] that are used or have been used by an employer to determine  
7 such employee's eligibility for employment, promotion, additional  
8 compensation, transfer, termination, disciplinary or other adverse  
9 personnel action including employee evaluations or reports relating to  
10 such employee's character, credit and work habits. "Personnel file"  
11 does not mean stock option or management bonus plan records,  
12 medical records, letters of reference or recommendations from third  
13 parties including former employers, materials [which] that are used by  
14 the employer to plan for future operations, information contained in  
15 separately maintained security files, test information, the disclosure of  
16 which would invalidate the test, or documents which are being  
17 developed or prepared for use in civil, criminal or grievance  
18 procedures.

This act shall take effect as follows:
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Section 1	<i>October 1, 2003</i>
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**LAB**      *Joint Favorable Subst.*